

Adam P. Segal, Esq.
Nevada Bar No. 6120
Bryce C. Loveland, Esq.
Nevada Bar No. 10132
Christopher M. Humes
Nevada Bar No. 12782
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106-4614
Telephone: (702) 382-2101
Facsimile: (702) 382-8135
Email: asegal@bhfs.com
Email: bcloveland@bhfs.com
Email: chumes@bhfs.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE
PLUMBERS AND PIPEFITTERS LOCAL
525 HEALTH AND WELFARE TRUST
AND PLAN; BOARD OF TRUSTEES OF
THE PLUMBERS AND PIPEFITTERS
UNION LOCAL 525 PENSION PLAN;
AND BOARD OF TRUSTEES OF
PLUMBERS AND PIPEFITTERS LOCAL
UNION 525 APPRENTICE AND
JOURNEYMAN TRAINING TRUST FOR
SOUTHERN NEVADA,

Plaintiffs,

vs.

FRANCISCO GONZALEZ-FARIAS, an
individual; HUDSON INSURANCE
AGENCY, a New York corporation;
MOUNTAIN LION PLUMBING, INC., a
Nevada corporation; GABRIELLA
NAVARRO, an individual; SECURITY
PLUMBING AND AIR CONDITIONING,
a Nevada corporation,

Defendants.

Lead Case No. 2:14-cv-01027-APG-PAL

Consolidated with Case No. 2:15-cv-00824-
APG-CWH and 2:15-cv-01148-LDG-GWF

**RENEWED MOTION FOR
JUDGMENT DEBTOR
EXAMINATIONS OF GABRIELLA
NAVARRO, FRANCISCO GONZALEZ-
FARIAS, MOUNTAIN LION
PLUMBING, INC., AND SECURITY
PLUMBING AND AIR
CONDITIONING**

1 On March 8, 2017, the Court entered a judgment in favor of the Plaintiffs, the Boards of
2 Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan, the
3 Plumbers and Pipefitters Union Local 525 Pension Plan, and the Plumbers and Pipefitters Local
4 Union 525 Apprentice and Journeyman Training Trust for Southern Nevada (collectively "Trust
5 Funds) and against Francisco Gonzalez-Farias ("Gonzalez"), Gabriella Navarro ("Navarro"),
6 Mountain Lion Plumbing, Inc., ("Mountain Lion Plumbing") and Security Plumbing and Air
7 Conditioning ("Security Plumbing"), (collectively "Defendants"), jointly and severally, in the
8 amount of \$1,927,376.00. Defendants have failed to satisfy the judgment.

9 On May 17, 2017, the Court previously authorized the Trust Funds to conduct judgment
10 debtor examinations of all Defendants to occur June 20-21, 2017. (Order (ECF No. 118).) The
11 Trust Funds served the Court's orders on an individual named Christian on June 15, 2017, who
12 admitted to being a co-resident. (Affidavit of Service (ECF No. 122, filed June 21, 2017).)

13 The Defendants, however, did not appear. The Trust Funds then moved for an Order to
14 Show Cause (the "Motion for OSC"). (Motion for OSC (ECF No. 123, filed July 17, 2017).) The
15 Court denied the Motion on the grounds that the Trust Funds did not provide enough notice to the
16 Defendants for both the production of documents and the judgment debtor examinations. (Order
17 Denying Motion for OSC (ECF No. 124, filed July 27, 2017).) The Court granted the Trust Funds
18 leave to refile a motion for judgment debtor examinations. (*Id.*)

19 In accordance with the Court's July 27, 2017, Order, the Trust Funds resubmit their
20 request to perform examinations of Gonzalez, as an individual judgment debtor and as the owner
21 Security Plumbing, and Navarro, as an individual judgment debtor and as the owner of Mountain
22 Lion Plumbing, with the deposition dates set approximately sixty days out from the date of the
23 instant Motion.

24 Pursuant to Rule 69(a) of the Federal Rules of Civil Procedure, a judgment creditor may
25 pursue execution of a judgment in accordance with any procedure or practice of the State in
26 which the district court is sitting. Nevada Revised Statute 21.270 provides that a judgment
27 creditor may depose a judgment debtor regarding his property and assets. Specifically, this statute
28 provides:

1 1. A judgment creditor, at any time after the judgment is entered, is
2 entitled to an order from the judge of the court requiring the judgment
3 debtor to appear and answer upon oath or affirmation concerning his or her
4 property, before:

5 (a) The judge or a master appointed by the judge; or

6 (b) An attorney representing the judgment creditor,

7 at a time and place specified in the order. No judgment debtor may be
8 required to appear outside the county in which the judgment debtor resides.

9 2. If the judgment debtor is required to appear before any person other
10 than a judge or master:

11 (a) The oath or affirmation of the judgment debtor must be
12 administered by a notary public; and

13 (b) The proceedings must be transcribed by a court reporter or
14 recorded electronically. The transcript or recording must be
15 preserved for 2 years.

16 3. A judgment debtor who is regularly served with an order issued
17 pursuant to this section, and who fails to appear at the time and place
18 specified in the order, may be punished for contempt by the judge issuing
19 the order.

20 The Trust Funds are informed and believe that Gonzalez and Navarro both reside in Clark
21 County, Nevada. Therefore, the Trust Funds request that the Court sign the Orders, attached as
22 Exhibits 1 through 4, requiring Gonzalez and Navarro to provide documents relating to Mountain
23 Lion Plumbing's, Security Plumbing's and their property and assets on or before the date of the
24 examinations. The Orders also command Navarro and Gonzalez to appear at the Trust Funds'
25 counsel's office on the dates and times indicated on the face of the Orders for examinations under
26 oath and to answer questions relating to their and Mountain Lion Plumbing's and Security
27 Plumbing's property and assets.
28

1 Upon receiving executed copies of the Orders, the Trust Funds will serve Gonzalez and
2 Navarro with copies of the Orders providing notice of the time and place of their examinations at
3 least thirty-seven (37) days before the examination date.

4
5 Dated: August 9, 2017

BROWNSTEIN HYATT FARBER SCHRECK, LLP

6 /s/ Christopher M. Humes

7 Adam P. Segal, Esq.

8 Nevada Bar No. 6120

9 Bryce C. Loveland, Esq.

10 Nevada Bar No. 10132

11 Christopher M. Humes

12 Nevada Bar No. 12782

13 100 North City Parkway, Suite 1600

14 Las Vegas, Nevada 89106-4614

15 Telephone: (702) 382-2101

16 Facsimile: (702) 382-8135

17 *Attorneys for Plaintiffs*

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
(702) 382-2101

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of Brownstein Hyatt Farber Schreck, LLP and that on August 9, 2017, I served a true copy of the foregoing **RENEWED MOTION FOR JUDGMENT DEBTOR EXAMINATIONS OF GABRIELLA NAVARRO, FRANCISCO GONZALEZ-FARIAS, MOUNTAIN LION PLUMBING, INC., AND SECURITY PLUMBING AND AIR CONDITIONING** upon:

Francisco Gonzales-Farias
4213 Lower Saxon
North Las Vegas, NV 89085

Gabriella Navarro
4213 Lower Saxon
North Las Vegas, NV 89085

Security Plumbing & Air Conditioning
c/o Francisco Gonzalez-Farias
4213 Lower Saxon
North Las Vegas, NV 89085

Mountain Lion Plumbing, Inc.
c/o Gabriella Navarro
4008 Alameda Ave.
Las Vegas, NV 89110

Mountain Lion Plumbing, Inc.
c/o Francisco Bacerra
80 Levi Ave.
Las Vegas, NV 89103

☒ a. BY U.S. MAIL

☒ b. BY CM/ECF SYSTEM

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Wendy Cosby

An Employee of Brownstein Hyatt Farber Schreck, LLP

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
(702) 382-2101

Adam P. Segal, Esq.
Nevada Bar No. 6120
Bryce C. Loveland, Esq.
Nevada Bar No. 10132
Christopher M. Humes
Nevada Bar No. 12782
BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106-4614
Telephone: (702) 382-2101
Facsimile: (702) 382-8135
Email: asegal@bhfs.com
Email: bcloveland@bhfs.com
Email: chumes@bhfs.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE
PLUMBERS AND PIPEFITTERS LOCAL
525 HEALTH AND WELFARE TRUST
AND PLAN; BOARD OF TRUSTEES OF
THE PLUMBERS AND PIPEFITTERS
UNION LOCAL 525 PENSION PLAN;
AND BOARD OF TRUSTEES OF
PLUMBERS AND PIPEFITTERS LOCAL
UNION 525 APPRENTICE AND
JOURNEYMAN TRAINING TRUST FOR
SOUTHERN NEVADA,

Plaintiffs,

vs.

FRANCISCO GONZALEZ-FARIAS, an
individual; HUDSON INSURANCE
AGENCY, a New York corporation;
MOUNTAIN LION PLUMBING, INC., a
Nevada corporation; GABRIELLA
NAVARRO, an individual; SECURITY
PLUMBING AND AIR CONDITIONING,
a Nevada corporation,

Defendants.

Lead Case No. 2:14-cv-01027-APG-PAL

Consolidated with Case No. 2:15-cv-00824-
APG-CWH and 2:15-cv-01148-LDG-GWF

**ORDER ON MOTION FOR
JUDGMENT DEBTOR
EXAMINATION OF FRANCISCO
GONZALEZ-FARIAS**

Date: October 6, 2017

Time: 1:30 p.m.

1 The Court, having reviewed the Motion (the "Motion") for Judgment Debtor
 2 Examinations of Francisco Gonzalez-Farias ("Gonzalez"), Gabriella Navarro, Mountain Lion
 3 Plumbing, Inc., and Security Plumbing and Air Conditioning, submitted by the Plaintiffs, Boards
 4 of Trustees of the Plumbers and Pipefitters Union Local 525 Health and Welfare Trust and Plan's,
 5 the Plumbers and Pipefitters Union Local 525 Pension Plan's, and the Plumbers and Pipefitters
 6 Local Union 525 Apprentice and Journeyman Training Trust for Southern Nevada's (collectively,
 7 "Trust Funds"), being fully advised, and good cause appearing:

8
 9 IT IS HEREBY ORDERED, that Gonzalez, as an individual judgment debtor, shall appear
 10 at the office of Brownstein Hyatt Farber Schreck, LLC, located at 100 North City Parkway, Suite
 11 1600, Las Vegas, Nevada, 89106, on October 6, 2017, at 1:30 p.m. for a judgment debtor
 12 examination regarding his property and assets.

13 IT IS FURTHER ORDERED, that Gonzalez shall produce to the Trust Funds' counsel at
 14 100 North City Parkway, Suite 1600, Las Vegas, Nevada 89106, one (1) week prior to the
 15 examination, the following documents:

16
 17 Any and all documents evidencing Gonzalez's current ownership of any stock;

18 Any and all documents regarding real property currently owned by Gonzalez, including
 19 but not limited to location, value, mortgage, mortgage payments, liens, or the like regarding such
 20 real property;

21 A complete current inventory list of assets owned by Gonzalez;

22 The last twelve (12) statements for each and every one of Gonzalez's bank accounts in
 23 existence during such twelve (12) months, without regard to whether such account remains open;

24
 25 //

26 //

27 //

28

1 Any and all documents regarding real property disposed of by Gonzalez in the last five (5)
2 years.

3 DATED: August 11, 2017
4

5 
UNITED STATES DISTRICT/MAGISTRATE JUDGE

6
7 Submitted by:

8 BROWNSTEIN HYATT FARBER SCHRECK,
9 LLP

10 /s/ Christopher M. Humes

11 Adam P. Segal, Esq.
Nevada Bar No. 6120
12 Bryce C. Loveland, Esq.
Nevada Bar No. 10132
13 Christopher M. Humes, Esq.
Nevada Bar No. 12782
14 100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106-4614
15 Telephone: (702) 382-2101
16 Facsimile: (702) 382-8135

17 *Attorneys for Plaintiffs*
18
19
20
21
22
23
24
25
26
27
28

BROWNSTEIN HYATT FARBER SCHRECK, LLP
100 North City Parkway, Suite 1600
Las Vegas, Nevada 89106
(702) 382-2101